

SUMMONS (CITACION JUDICIAL)

UNLAWFUL DETAINER—EVICTION
(PROCESO DE DESAHUCIO—EVICION)

Pilot Project—C.C.P. § 1167.2: Riverside Consolidated/Coordinated Courts and the Downey, El Cajon, and North Santa Barbara County Municipal Courts

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: (*Aviso a acusado*)

YOU ARE BEING SUED BY PLAINTIFF:

(*A Ud. le está demandando*)

THIS IS A COURT PROCEEDING IN WHICH THE PLAINTIFF SEEKS YOUR EVICTION FROM YOUR RESIDENCE .

The plaintiff has requested that the court require you to post with the court a pretrial prospective rent deposit in the amount set below before the court permits you to have a trial of this case. Before the court orders you to post the amount, the court will hold a pretrial hearing. You will be informed by mail within the next few days when that hearing will be held.

A letter or phone call will not protect you. You have 5 calendar days after this summons is served on you to file at this court a written answer, motion, demurrer, and/or reply form. If you do not respond within 5 days, you still have a right to appear at the pretrial hearing and present oral argument and explain your side of the case. (*To calculate the 5 days, count Saturday and Sunday, but do not count other court holidays.*)

If you do not appear at the pretrial hearing or otherwise respond on time you, may lose the case, you may be evicted, and you may lose any pretrial rent deposit that you have deposited with the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or Legal Aid.

ESTE ES UN PROCESO JUDICIAL EN EL QUE EL DEMANDANTE PODRÁ DESALOJARLO DE SU RESIDENCIA.

El demandante solicita que el tribunal le exija pago previo al juicio del depósito de la futura renta, en el monto fijado más abajo. Antes de que se le permita ir a juicio, el tribunal llevará a cabo una audiencia previa al juicio. Dentro de los próximos días, se le notificará por correo la fecha de dicha audiencia.

Ud. no podrá ampararse bajo una carta o un llamado telefónico. Tiene Ud. cinco días calendario después de recibir esta citación, para presentar ante el tribunal una contestación por escrito, petición, excepción preventiva y/o formulario de respuesta. Si Ud. no respondiera dentro de los cinco días, tendrá derecho a comparecer a una audiencia previa al juicio y presentar alegato oral para explicar su versión del caso. (Para calcular los cinco días, cuente sábados y domingos, pero no cuente otros días de asueto judicial.)

Si no comparece a la audiencia previa al juicio o no responde a tiempo, Ud. puede perder el caso, puede ser desalojado y puede perder el depósito de la renta previa al juicio que Ud. haya depositado con el tribunal.

Hay otros requisitos legales. Puede Ud. descartar llamar a un abogado inmediatamente. Si Ud. tiene un abogado puede ponerse en contacto con un servicio de referencia a abogados o con asistencia legal (Legal Aid).

The name and address of the court is: (*El nombre y dirección de la corte es*)

CASE NUMBER: (*Número del caso*)

PRETRIAL RENT DEPOSIT DEMAND \$ _____

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(*El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es*)

DATE:
(*Fecha*)

Clerk, by _____, Deputy
(*Actuario*) (*Delegado*)

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (*specify*):
3. ☐ on behalf of (*specify*):

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)
☐ other:

4. ☐ by personal delivery on (*date*):
(See reverse for Proof of Service)

PLAINTIFF (Name): DEFENDANT (Name):	CASE NUMBER:
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PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this action, and I **served copies** of the (specify documents):

2. a. Party served (specify name of party as shown on the documents served):

b. Person served: ☐ party in item 2a ☐ other (specify name and title or relationship to the party named in item 2a):

c. Address:

3. I served the party named in item 2

a. ☐ **by personally delivering** the copies on (date): _____ at (time): _____

b. ☐ **by leaving** the copies with or in the presence of (name and title or relationship to person indicated in item 2b):

(1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person served. I informed him or her of the general nature of the papers.

(2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the person served. I informed him or her of the general nature of the papers.

(3) on (date): _____ at (time): _____

(4) ☐ A **declaration of diligence** is attached. (Substituted service on natural person, minor, conservatee, or candidate.)

c. ☐ **by mailing** the copies to the person served, addressed as shown in item 2c, by first-class mail, postage prepaid,

(1) on (date): _____ from (city): _____

(2) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed form.)

(3) ☐ to an address outside California with return receipt requested. (Attach completed form.)

d. ☐ **by** causing copies to be mailed. A declaration of mailing is attached.

e. ☐ **other** (specify other manner of service and authorizing code section):

4. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant.

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (individual)

☐ other:

5. **Person serving** (name, address, and telephone no.):

a. **Fee** for service: \$

b. ☐ Not a registered California process server.

c. ☐ Exempt from registration under B&P § 22350(b).

d. ☐ Registered California process server.

(1) ☐ Employee or independent contractor.

(2) Registration no.:

(3) County:

6. ☐ I **declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

7. ☐ I **am a California sheriff, marshal, or constable** and I certify that the foregoing is true and correct.

Date:



(SIGNATURE)